

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

ALLIED PROPERTY AND CASUALTY
INSURANCE COMPANY,

Plaintiff-Counterclaim Defendant,

v.

Civil Action No. 1:18-cv-264

ZENITH AVIATION, INC.,

Defendant-Counterclaim Plaintiff.

**SECOND JOINT MOTION REQUESTING AN EXTENSION OF TIME TO COMPLETE
THE APPRAISAL AND ADJOURNMENT OF THE TRIAL DATE**

Allied Property and Casualty Insurance Company (“Allied”), by counsel, and Zenith Aviation, Inc. (“Zenith”), by counsel, state as follows in support of their Second Joint Motion for an Extension of Time to Complete the Appraisal and Adjourn the Trial Date:

1. This Court granted Defendant-Counterclaim Plaintiff Zenith’s Motion to Compel Appraisal on October 26, 2018, and ordered that the appraisal be completed and submitted to this Court on or before January 31, 2019 (Dkt. 175).
2. The Parties’ appraisers, Mr. Martin Anderson (for Allied) and Mr. Harvey Goodman (for Zenith) appointed William L. Burke as the Umpire (collectively, the “Panel”).
3. As of January 29, 2019, the Panel has completed its evaluation of Zenith’s Business Property loss.
4. The Umpire, Mr. Burke, requested additional time, until February 28, 2019, to complete the Business Income portion of the appraisal. The Parties’ appraisers agreed to this extension.

5. Counsel for Allied and Zenith met and conferred on January 31, 2019, and the Parties agree that a February 28, 2019 extension to evaluate Zenith's Business Income losses only is appropriate in light of the Panel's request.

6. The Parties agree that the appraisal must be complete in advance of trial.

7. The Parties respectfully request that the Court grant an extension of the appraisal deadline currently set for January 31, 2019 to February 28, 2019 in order to complete the evaluation of the Business Income portion of the appraisal.

8. The Parties respectfully request that the Court adjourn the trial date currently set for February 19, 2019 to mid- April.

Dated: January 31, 2019

Respectfully submitted,

/s/ Alex J. Lathrop

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**[PROPOSED] ORDER GRANTING PARTIES' JOINT MOTION FOR AN
ADJOURNMENT OF THE TRIAL DATE**

This matter having come before the Court on the Parties' Joint Motion for An Adjournment of the Trial Date, it is hereby ORDERED that the parties are granted an extension of time to complete the appraisal and to adjourn the trial date as follows:

1. The appraisal deadline currently set for January 31, 2019, will be extended to February 28, 2019.
2. The February 19, 2019 trial date will be adjourned to mid-April 2019 pending the completion of the appraisal and the Court's availability.

SO ORDERED.

Hon. Anthony J. Trenga
United States District Court Judge